United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Vale District Office
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Vale, OR 97918

IN REPLY REFER TO:
4190 (ORV040)

OCT 30 2012

NOTICE OF FIELD MANAGER'S FINAL DECISION
LONG DRAW FIRE G1HG

Dear Interested Public:

BACKGROUND

During the summer of 2012, several lightning caused fires burned within the Jordan Resource Area, Vale District, Bureau of Land Management (BLM). The Long Draw Fire was ignited on July 8, 2012 and was contained on July 15, 2012 after burning 548,379 acres of public land, 7,734 acres of private land, 1,865 acres of Department of Energy land and 218 acres of land administered by the State of Oregon or a total of 558,196 acres. The southern boundary of the fire lies approximately 16 miles north of McDermitt, Nevada in southeastern Oregon. The fire burned from the Blue Mountains on the west to the Owyhee River on the east and from the Bowden Hills on the north to the Jackson summit on the south (see maps 1 & 2).

Within a week of the containment date of the fire, the Vale District assembled an interdisciplinary (ID) team of specialists and within 21 days of containment, this ID team developed an Emergency Stabilization and Rehabilitation Plan (hereafter referred to as ES&R Plan) containing several treatments necessary for the stabilization and rehabilitation of the burned area.

The ES&R Plan was submitted for funding to the BLM's Washington Office (WO) through the Emergency Stabilization and Rehabilitation System (ESRS). The ES&R Plan was approved by the WO on 9/24/2012. However, based on limited funds, no funding was granted at the time. Later, the Vale District was partially funded for the ES&R Plan to purchase seed. Native seed availability was limited and all the seed prices were higher than they had previously been earlier in the year. As a result BLM Vale revised the ES&R Plan. This document will serve as the final emergency stabilization and rehabilitation plan, hereafter referred to as the Revised Plan. The final decision or revised plan will supersede the treatments identified in the ES&R Plan that was submitted through the ESRS. The Revised Plan is different from the ES&R Plan in that the treatments included fewer acres and miles.

In development of the ES&R plan and the Revised Plan, BLM consulted[1] with the livestock grazing permittees, Oregon Natural Desert Association, Oregon Department of Fish and Wildlife (ODFW) , Natural Resource Conservation Service (NRCS) , Agricultural Research Service (ARS), United States Fish and Wildlife Service (USFW), Oregon Department of Transportation (ODOT), United States Geological Survey (USGS), Oregon Cattleman's Association (OCA), Vale County Court, the Trout Creek Mountain Work Group and Western Watersheds Project (WWP). Based on BLM's field work, the consultation with agencies and interested entities, seed availability and cost, and funding limitations, the size and scope of some of the components or treatments have been adjusted from the ES&R Plan.

INTRODUCTION

Between July 8, 2012 and July 15, 2012, the Long Draw fire burned 548,379 acres of public land, 7,734 acres of private land, 1,865 acres of Department of Energy land and 218 acres of land administered by the State of Oregon or a total of 558,196 acres. Within that acreage, the Long Draw fire burned: 16,174 acres of the Alvord Desert WSA; 58,953 acres of the Bowden Hills WSA; 31,258 acres of the Owyhee River Canyon WSA; 206,483 acres of lands found to contain wilderness characteristics; 16,343 acres of the Coyote Lake-Alvord-Tule Springs Wild Horse Herd Management Area; 47,829 acres of the Jackies Butte Wildhorse Herd Management Area; 225,959 acres of sage-grouse Preliminary Priority Habitat (PPH); and 224,687 acres of sage-grouse Preliminary General Habitat (PGH). The eastern edge of the Long Draw fire was primarily the Owyhee and West Little Owyhee Rivers both of which are designated under the Wild and Scenic Rivers Act. The Long Draw fire burned; 1,904 acres of the West Little Owyhee River Corridor; 998 acres of the Owyhee River Corridor; and 136 acres of the Mendi Gore Playa Area of Critical Environmental Concern (ACEC)/Research Natural Area (RNA). The chart below shows the amount in acres of the special designated areas that burned (see maps 3&4).

Special Designated Area	Acres Burned
Alvord Desert WSA	16,174
Bowden Hills WSA	58,953
Owyhee River Canyon WSA	31,258
Coyote Lake-Alvord-Tule Springs Wildhorse Herd Management Area	16,343
Jackies Butte Wildhorse Herd management Area	47,829
Greater Sage-grouse Preliminary Priority Habitat (PPH)	225,959
Greater Sage-grouse Preliminary General Habitat (PGH)	224,687
West Little Owyhee River Wild and Scenic River	1,904
Owyhee River Wild and Scenic River	998
Mendi Gore Playa Area of Critical Environmental Concern/Research Natural Area	136
Lands with wilderness character	206,483

[1] The Plan was also discussed at community meetings held at Jordan Valley and Rome, Oregon and McDermitt, Nevada where opportunities to comment were provided.

The Long Draw Fire burned within the following grazing allotments: 57,550 acres (25%) of the Jackies Butte Summer allotment (#1101); 3,762 acres (99%) of the Ambrose- Maher allotment (#1102); 6,434 acres (31%) of the Jackies Butte Winter allotment (#1103); 145,643 acres (45%) of the 15 Mile Community allotment (#1201); 11,325 acres (8%) of the Louse Canyon Community allotment (#1307); 3,005 acres (9%) of the Black Hill allotment (#1309); 12,800 acres (94%) of the Barren Valley allotment (#10801); 80,164 acres (94%) of the Bowden Hills allotment (#10803); 16,409 acres (6%) of the Coyote Lake allotment (#10804); 1,306 acres (2%) of the Sherburn allotment (#11303); 61,263 acres (90%) of the Eiguren allotment (#11305); 95,500 acres (60%) of the Campbell allotment (#11306); 57,178 acres (99%) of the Gilbert allotment (#21301); and 4,186 acres (23%) of the Echave allotment (#21302). The chart below shows the amount in acres of the allotments that burned, grouped by Geographic Management Areas (see map 5):

ALLOT NUM	ALLOTMENT NAME	ALLOT ACRES	ACRES BURNED	ALLOTMENT % BURNED
Jackies Butte GMA				
1101	JACKIES BUTTE SUMMER	228,922	57,550	25.1
Louse Canyon GMA				
1102	AMBROSE-MAHER	3,781	3,762	99.5
1307	LOUSE CANYON COMM	130,493	11,325	8.6
Trout Creek GMA				
1201	15-MILE COMMUNITY	319,335	145,643	45.6
Barren Valley GMA				
1103	JACKIES BUTTE WINTER	20,202	6,434	31.8
1309	BLACK HILL	32,174	3,005	9.3
10801	BARREN VALLEY	12,800	12,376	96.6
10803	BOWDEN HILLS	84,945	80,164	94.3
10804	COYOTE LAKE	242,426	16,409	6.7
Rattlesnake GMA				
11303	SHERBURN	48,876	1,306	2.6
11305	EIGUREN	67,750	61,263	90.4
11306	CAMPBELL	158,310	95,500	60.3
21301	GILBERT	57,183	57,178	99.9
21302	ECHAVE	17,723	4,186	23.6
			*Total 558,196	
*Total includes all acres burned: BLM, Private, State and Department of Energy				

COMPLIANCE

The Revised Plan was prepared under the guidance of and is consistent with the Burned Area Emergency Stabilization and Rehabilitation Handbook H-1742-1. The treatments in the Revised Plan are the same as the proposed actions described in the Vale District Normal Emergency Stabilization and Rehabilitation Plan (NFESRP) Environmental Assessment (EA) # OR-030-05-005. The EA was completed in 2005. The EA analyzed the potential impacts to implementing the proposed action and alternatives and determined there would not be a significant impact to the human environment and prepared a Finding of No Significant Impacts (FONSI) Decision Record.

Because the treatments analyzed in the NFESRP EA are the same as the Revised Plan, BLM compared the Revised Plan with the analysis found in the NFESRP EA and determined that the analysis was sufficient and new NEPA analysis was not necessary. BLM documented this review and prepared a Determination of NEPA Adequacy (DNA) # DOI-BLM- V060-2012-037 prior to the approval of the Revised Plan and the issuance of this decision. The NFESRP EA and FONSI and the DNA documents can be viewed at: http://www.blm.gov/or/districts/vale/plans/index.php. If you wish to receive hard copies of these documents, they are available upon request at the Vale District Office, (541) 473-3144.

The treatments described in the Revised Plan, as analyzed in the Vale District NFESRP EA, is consistent with the Southeast Oregon Resource Management Plan/Environmental Impact Statement and Record of Decision, Sept. 2002. The Revised Plan's treatments have been designed to conform to the following documents which direct and provide the framework for management of BLM lands within Vale District:

- Taylor Grazing Act (43 U.S.C. 315), 1934
- The National Environmental Policy Act (42 U.S.C. 4320-4347), 1970
- Vale District Normal Emergency Stabilization and Rehabilitation Plan (NFESRP) Environmental Assessment (EA) # OR-030-05-005.
- Federal Land Policy and Management Act (43 U.S.C. 1901), 1978
- August 12, 1997 Standards for Rangeland Health and Guidelines for Livestock Management for Public Lands, Administered by the BLM in the States of Oregon and Washington
- 2007 Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States ROD
- 2010 Vegetation Treatments Using Herbicides on BLM Lands in Oregon ROD
- Greater Sage-grouse and Sagebrush-steppe Ecosystems Management Guidelines (BLM-2000)
- National Historic Preservation Act (16 U.S.C. 470)
- Programmatic Agreement Among USDI BLM, the Advisory Council on Historic Preservation and the Oregon State Historic Preservation Officer Regarding the Identification, Evaluation, and Treatment of Historic Properties Managed by the BLM, Oregon State Office, Throughout the State of Oregon
- Executive Order 12372, Intergovernmental Review
- Executive Order 13112, Invasive Species
- BLM National Sage-grouse Habitat Conservation Strategy (2004)

- Instruction Memorandum WO-2012-043, Greater Sage-grouse Interim Management Policies and Procedures issued December 22, 2011
- A Report on National Greater Sage-grouse Conservation Measures, Produced by: Sage-grouse National Technical Team, December 21, 2011
- Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: A plan to Maintain and Enhance Populations and Habitat; ODF&W 4/22/2011
- Southeastern Oregon Resource Management Plan and Record of Decision (2002)
- State, local, and Tribal laws, regulations, and land use plans
- SEORMP Settlement Agreement (Case 05-35931, June 10, 2010) between Vale District BLM and Oregon Natural Desert Association (ONDA) resulting from Ninth Circuit Court of Appeals decision (*ONDA v. BLM*, 625 F.3d 1092 (9th Cir. 2010).

FINAL DECISION

I have determined that the vegetation, soil and other resources on the public lands are at immediate risk of erosion and other damage due to the 2012 Long Draw wildfire.

DNA # DOI-BLM- V060-2012-037 addressed the treatments identified in the ES&R Plan and I have determined that it was consistent with the analysis in the NFESRP EA and FONSI. The treatments listed as the Revised Plan (below) are less than the treatments proposed in the ES&R Plan and I have determined that the DNA is sufficient.

I have determined that implementing the Revised Plan's treatments as analyzed in the NFESRP EA did not require the preparation of an environmental impact statement, as set out in the FONSI.

I have determined that implementation of the treatments described in the Revised Plan does not constitute a major Federal action that will adversely impact the quality of the human environment. Therefore, an Environmental Impact Statement is not necessary and will not be prepared.

Based on analysis, comments from the public and input from my staff, it is my final decision to implement the treatments as listed in the Revised Plan below.

This decision is effective immediately due to the immediate risk of erosion and damage to wildlife, specifically:

- There is imminent risk of soil erosion in the burned area and subsequent threats to human safety adjacent to US highway 95 due to blowing dust and heavier than normal spring runoff[2];
- The likelihood of the conversion of rangelands to invasive annual grasses if they are not treated this fall[3];

[2] The grasses and shrubs on unburned rangelands serve to slow overland water flows caused by rain and melting snow. Grasses and shrubs are lacking on burned rangelands and normal or typical intensity rainfall and snow melt are not slowed. They have faster rates of overland flow that results in higher intensity flows and tend to cause flash flooding and soil erosion.

[3] Rangelands converted to invasive annual grasses are more prone to wildfire and often resulting in larger and more frequently occurring wildfires. Wildfires (even low intensity ones) readily kill sagebrush which is an important forage

My decision is issued under 43 Code of Federal Regulations (CFR) § 4190.1(a), which states:

> Notwithstanding the provisions of 43 CFR 4.21(a)(1), when BLM determines that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire, BLM may make a rangeland wildfire management decision effective immediately or on a date established in the decision.

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and cover component for sagebrush obligate wildlife species, particularly the Greater Sage-Grouse. Rangelands converted to invasive annual grasses also have lower species diversity both plant and animal. Lower plant species diversity results in higher probability of soil erosion and a higher susceptibility to invasion of noxious weeds.

REVISED PLAN TREATMENTS

Below is a table of the projects needed to stabilize and rehabilitate lands affected by the 2012 Long Draw wildfire. Maps of the treatment locations are also attached.

Treatments	Amount or scope	Implementation year[4]
Ground or drill seeding (map 6)	60,000 acres	2012
Sagebrush seed scatter and cultipacking (map 7)	60,000 acres	Beginning in 2012
Sagebrush seedlings - lop & scatter seedheads (map 7)	67,000 acres	Beginning in 2013
Noxious weed inventory	50,000 acres	Beginning in 2013
Noxious weed treatment	675 acres	Beginning in 2013
Install debris catchment fence & riprap culverts	20 each	2012*
Construct snow fence	2500 feet	2012*
Replace directional road signs	40 each	Beginning in 2013
Replace informational WSA boundary signs	120 each	Beginning in 2013
Construct temporary livestock closure fence (map 8)	30 miles	Beginning in 2012
Replace wildlife guzzlers (map 9)	8 each	Beginning in 2012
Repair existing fences (map 9)	450 miles	Beginning in 2012

*Pending in cooperation with Oregon Department of Transportation.

RATIONALE

Drill seeding

BLM evaluated the entire burned area to determine the suitability for seeding. The suitability evaluation covering 47% (259,000 acres) of the burned area was based on data that had been collected within the last 4 years in preparation of an Order 3 Soil Survey and Ecological Site Inventory. Suitability evaluation of the remaining portion of the burned areas was based on previously collected rangeland health assessments (both write up forms and supporting photos) as well as input from field going personnel with personal knowledge of the pre-burn condition. Wyoming sagebrush sites that were determined to be in late seral or climax condition prior to the burn were not considered for ground seeding. Because of their pre-burn ecological condition they are at low risk for site conversion to cheatgrass. Black sagebrush, salt desert shrub and very droughty Wyoming sagebrush vegetation communities are at high risk for site conversion to cheatgrass dominance but were determined not to be suitable for seeding as they generally do not receive sufficient annual moisture for successful seeding establishment. Wyoming sagebrush sites that were in early or mid seral condition were determined to be at the highest risk for site conversion to cheat grass and were generally considered the most suitable for seeding. Some early

[4] The year in which these treatments will be implemented is subject to funding availability.

or mid-seral condition Wyoming sagebrush sites had already been converted to cheatgrass dominated sites due to previous fires and/or past management practices and were excluded from consideration for treatment. Some early to mid-seral Wyoming sagebrush sites above the 10 inch precipitation zone were considered to be at low risk for conversion to cheatgrass due to the precipitation zone they were in and the pre-burn understory dominance of Sandburg bluegrass and biological crusts[5] and were therefore considered not necessary to be seeded. All of the areas selected for treatment were determined to be suitable for seeding based on the high probability of conversion to cheatgrass dominated communities, should no treatment occur, and also had a high probability of seeding establishment. The seeding would be done in those areas that prior to the fire were dominated by sagebrush and/or within established crested wheatgrass seedings (17,930 acres).

At the formation of the ES&R Plan, the ID team had chosen a wide range of multiple grass species and cultivated varieties of those species in hopes of increasing the odds of at least one or more varieties successfully establishing. However, at the BLM's consolidated seed buy the cost of the seed on average was three times higher than they were earlier in the year due to the increased demand for seed. This increase in price reduced the amount of seed BLM was able to purchase with the funding available. Also, due to the number of wildfires in the western US the demand for seed far exceeded the supply on the open market.

As a result BLM was able to purchase enough native grass seed[6] to plant 17,000 acres, enough non-native grass seed[7] to plant 43,000 acres and enough sagebrush seed to plant 20,000 acres.

While deciding on where to plant the native grasses and the non-native grasses close consideration was given to the National Technical Team (NTT) recommendations listed in "A Report on National Sage-grouse Conservation Measures". The NTT recommended prioritizing native seed allocation for use in sage-grouse habitat in years when preferred native seed is in short supply. This may require reallocation of native seed from ES&R projects outside of priority sage-grouse habitat to those inside it. Use of native plant seeds for ES&R seedings is required based on availability, adaptation (site potential), and probability of success. Where probability of success or native seed availability is low, non-native seeds may be used as long as they meet sage-grouse habitat conservation objectives (page 28).

Close consideration was also given to BLM national policy memo WO IM 12-043 which states that, "When necessary, analyze the use of non-native species that do not impede long-term reestablishment goals of native plant communities and Greater Sage-Grouse habitat. BLM knows that post burn recovery, in low and mid-seral condition Wyoming sage-brush sites, quickly becomes dominated by non-native invasive annual grasses such as cheatgrass. Cheatgrass dominated rangelands do not allow for native plant communities nor do they meet the Greater Sage-Grouse habitat needs. BLM is also aware that non-native perennial bunchgrass such as the various species

[5] At climax condition, Sandburg bluegrass (POSE) and biological crusts make up only 3-5% of the composition of typical Wyoming sagebrush (ARTRW) site, based on cover. POSE and biological crusts that make up a higher percentage than that are typical in low and mid seral sites; however, they have been shown in studies to be competitive against the establishment of non-native annual grasses such as cheatgrass, particularly above the 10 inch precipitation zone.

[6] The native seed mix is Secar wheatgrass 6.8 lbs/ac and Anatone wheatgrass 3.3 lbs/ac or a total of 10.1 lbs/ac.

[7] The non-native seed mix is Siberian wheatgrass 5.8 lbs/ac and crested wheatgrass 4.3 lbs/ac or a total of 10.1 lbs/ac.

of wheatgrasses to be in the Revised Plan compete well against cheatgrass, offer the rangelands a surrogate for the native deep rooted perennial grasses and when planted with sagebrush does serve habitat for the Greater Sage-Grouse. Introduced grasses with a shrub component (crested wheatgrass and shrubs) are considered preferable to taking no rehabilitation action at all (SEORMP page F-10).

Close consideration was given to ODFW's 2011 Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: A plan to Maintain and Enhance Populations and Habitat, which states if native plant and sagebrush seed is unavailable crested wheatgrass can be planted in lieu of native species or as a mixture with native species, because it is readily available, and successfully competes with cheatgrass, and establishes itself more readily than natives (pg 101).

The Vale District is in the process of amending the Resource Management Plan, which is to include, inter alia, management objectives for lands with wilderness characteristics (LWC). Modifying a standard rangeland drill by pulling the seed tubes free from the disc arms will allow the seed to dribble out of the seed box and fall upon the seed bed in a non-linear manner (much like a drop spreader). The discs at the rear of the drill will scarify the soils and the drag chains will be looped together and act as a harrow and incorporate the scarified soil and seed together. This modified rangeland drill technique greatly reduces the linear establishment of seeded species and would not have an impact on the values of the lands with wilderness characteristic. In other words, drill seeding with the modified drill will not affect the naturalness of the area or push the seeded area into a non-natural classification, and it will not change the number of acres found to have wilderness characteristics. Of the 60,000 acres that will be drill seeded, 19,507 acres are classified as lands with wilderness characteristics. The remaining acres to be seeded will be done with a traditional non modified rangeland drill.

Broadcast seeding (dribble seeder) and cultipacking

Of the 548,379 acres of public land administered by the BLM that burned in the Long Draw fire, 225,959 acres has been designated as sage-grouse Preliminary Priority Habitat (PPH) and an additional 224,687 acres has been designated as sage-grouse Preliminary General Habitat (PGH).

The sagebrush was nearly completely lost in much of the sage-grouse habitat although some unburned islands and patchy burned areas do exist. BLM plans to treat 20,000 acres of sage-grouse PPH using a dribbler seeder followed by a cultipacker to imprint sagebrush seed into contact with the soil. Should additional funds and commercially available sagebrush seed become available an additional 40,000 acres will be similarly treated. An additional 67,000 acres of sagebrush seedlings will be planted, and sagebrush seedheads will be collected from outside the burned area and scattered in PPH to enhance the habitat for greater sage-grouse.

The priority for planting sagebrush seeds and seedlings is to restore those sites that are most likely to be used by sage-grouse. So, BLM will concentrate their efforts on PPH adjacent to leks that are known to be active. Management of the big sagebrush cover in seedings and on native rangelands to meet the life history requirements of sagebrush-dependent wildlife is consistent with and described on page 40 of the SEORMP. Managing shrub overstory for multiple-use has significant benefits for

wildlife. The character of the upland vegetation influences wildlife habitat quality and productivity. This treatment is further provided for on page 50 under the wildlife and wildlife habitat objectives.

WO IM 12-043 instructs BLM to prioritize re-vegetation projects in ES&R plans to: (1) maintain and enhance unburned intact sagebrush habitat when at risk from adjacent threats; (2) stabilize soils; (3) reestablish hydrologic function; (4) maintain and enhance biological integrity; (5) promote plant resiliency; (6) limit expansion of dominance of invasive species; and (7) reestablish native species.

The broadcast treatment and cultipacking and hand planting are discussed under the proposed action section and are adequately analyzed in NRESRP EA where on page 8 under the section Seedbed Preparation and Seeding it states, "Hand planting riparian and upland tree and shrub seedlings would be used when it is desirable to establish specific species quickly.

The SEORMP rangeland vegetation decision objective is to: Restore, protect, and enhance the diversity and distribution of desirable vegetation communities including perennial native and desirable introduced plant species and provide for their continued existence and normal function in nutrient, water, and energy cycles (page 38 &39). Management actions authorized or implemented by BLM will influence future vegetation composition. These actions may include…emergency fire rehabilitation.

Survey and treat noxious weeds

The areas disturbed by fire suppression activities as well as the burned area will be surveyed for Oregon Department of Agriculture Class A and B listed weeds and Malheur County Class A listed weeds. Known noxious weed locations will be treated on 675 acres within the burn in the first year following the fire. If additional populations of noxious weeds are discovered, they will be treated in accordance with national and district guidelines for noxious weed treatment. Noxious weed treatments will also be consistent with the guidelines set forth in the ESR handbook (1742-1, pgs. 34-35) using approved chemicals appropriate for the target species.

There are scattered populations of noxious weeds in the burn area including Russian knapweed, spotted knapweed, diffuse knapweed, yellow starthistle, perennial pepperweed, whitetop, halogeton, ventenata, scotch thistle, and rush skeletonweed. These populations will be visited and treated as needed because, in the absence of competition, the burn area would be extremely vulnerable to expansion of invasion by any of these highly competitive noxious and /or invasive species. Weed control within the burn area will help prevent invasive/noxious species from dominating the site and causing the loss of soil, habitat and forage. All the known weed populations are rather small with the exception of the Scotch thistle site in the Jackies Butte area which is approximately 600 acres. All sites, approximately 675 acres, will be treated in 2013 and again in 2014 if it is determined to be necessary and funding is available.

Augment ODOT efforts to protect US highway 95

Personnel from the Oregon Department of Transportation are working closely with BLM to ensure the continued safe travel along U.S. Highway 95. As a result of the Long Draw fire, approaches to culverts on the highway may be armored with rock riprap and debris fences constructed to catch debris being washed down drainages into the culverts. In the advent of an intense rain storm or rapid snow melt event, the debris fence will reduce the chance of culverts becoming plugged

causing water and debris to be washed over the road. Also, snow fences may be constructed at four sites where the highway was constructed below the natural surface of the terrain (roadcut). The fences will be constructed of rock crib anchors with four feet high lath fencing stretched between the rock crib anchors. No more than 2500 feet of fence will be constructed. BLM will construct the necessary projects on public land only if they are necessary and only to augment ODOT efforts. The projects deemed necessary on public land will be temporary and removed when it is determined they are no longer serving their intended purpose.

Replacing burned facilities
Forty (40) directional signs that were located along primitive to semi-primitive roads and 120 wilderness study area informational signs were burned and will be replaced. Eight (8) wildlife guzzlers were destroyed by the fire and will be replaced.

Repairing livestock management fence
Approximately 450 miles of livestock management fences were damaged by the fire. Most of these fences were constructed of steel posts and barbed wire that were not damaged by the fire. However, many of the corners, stretch panels and gate posts were constructed of wood. Many of these wooden posts burned in the fire and will be replaced. Instead of using wood, they will be replaced with steel posts or something similar such as angle iron or rock cribs. Nine miles of fence, also constructed of steel posts and wire, has burned numerous times the last two decades. This fence is a portion of the eastern and southern boundary of the Jackies Butte allotment. Due to the repeated fires, the barbed wire has lost its elasticity and become brittle, and it commonly breaks when stretched. The wire will be replaced, and the spacing will be changed to conform to BLM's wildlife fence specifications.

The repair of livestock management fences is a proposed action (page 12) and adequately analyzed in NFESRP EA. The Proposed Action, Repair/Replace Minor Facilities Essential to Public Health and Safety section, states that repair or replacement of minor facilities such as structural damage to recreational facilities, fences, gates, watering troughs, wildlife guzzlers and livestock handling facilities that were damaged by fire may be repaired under rehabilitation. On page 11 of the NFESRP EA under the Proposed Action, Protective Fence section, it states that the success of natural recovery or re-vegetation often depends on exclusion of grazing. Also, gates, cattleguards, fences and other control features would be repaired and /or constructed as needed to protect treatments during the recovery period.

The SEORMP Rangeland/Grazing Use objective is to: Provide for a sustained level of livestock grazing consistent with other resource objectives and public land use allocations. Management actions listed to meet this objective include maintaining existing structural rangeland projects where beneficial to livestock and other resource values (page 59).

Based on recommendations from ODFW, the NTT report and WO IM 12-043, in addition to marking new temporary fences that are identified as collision risk fences, BLM will also mark the existing fences that are within 1.25 miles of a lek that has been active the last five years and are

determined to be a collision risk in coordination with ODFW. This will be done in conjunction with repairing the existing 450 miles of livestock management fences.

Although marking existing fences to reduce collision for greater sage-grouse is not specifically analyzed in the NFESRP EA. It is analyzed for wild horses and big game on page 14 under the Proposed Treatment Design Features. It states that fence construction and reconstruction would conform to BLM Handbook specifications (H1741) and that fences constructed in wild horse herd management areas or within big game use areas would be flagged along the wires between line posts to reduce the chance for collision and entanglement.

Closing the burned area to livestock

Permittees will be responsible for keeping their livestock off the recovering areas in compliance with BLM grazing regulations (43 CFR Part 4110.3-3 (b)) and the SEORMP and ROD. A separate grazing decision will be issued to address the exclusion of livestock as a result of the Long Draw Fire.

Temporary Fences

Drummond Basin Temporary Fence

Construction of 3.8 miles of 3 strand temporary protective fence across the Drummond Basin pasture of the Louse Canyon Community allotment will allow for continued grazing use by the grazing permit holder on 3,130 unburned acres in that pasture. If 3.8 miles of temporary fence is not constructed it will be necessary to close the entire Drummond pasture to livestock grazing which will deny the grazing permit holder access to approximately 268 AUMs of permitted grazing use. The original fence location has been changed so that the fence will not be built within a WSA. The location of the 3.8 miles of temporary fence is longer than originally planned because it is located such that it will not traverse the Owyhee River Canyon WSA. The fence route is adjacent to existing roads so there is good access for construction. Also, it is not within 1.25 miles of a greater sage-grouse active lek. However, it does lie within 1.25 miles of a non active lek. So, there will be additional coordination with ODFW to determine if marking is necessary. If ODFW recommends marking, then the fence will be marked to reduce collision risk. This is consistent with WO IM 12-043.

This temporary fence lies within the Louse Canyon GMA where ES&R actions lie outside the scope of the Louse Canyon Settlement agreement and therefore meets the intent of the agreement.

Starvation Brush Control Temporary Fence

Construction of 3.1 miles of 3 strand temporary protective fence across the Starvation Brush Control pasture of the Campbell allotment will allow for continued grazing use by the grazing permit holder on 9,442 unburned acres in that pasture. If 3.1 miles of temporary fence is not constructed it will be necessary to close the entire Starvation Brush Control pasture to livestock grazing which will deny the grazing permit holder access to approximately 828 AUMs of permitted grazing use. The temporary fence location is practical, readily accessible, and designed to enclose the burned area with the least amount of fence possible. Building the fence in this location reduces the amount of fence necessary and reduces cost and other negative factors associated with fence construction. Also, the fence is not located within 1.25 miles of a greater sage-grouse lek, and,

therefore, it is not likely to be a collision risk or to negatively impact greater sage-grouse. The fence location was coordinated with ODF&W to minimize or eliminate potential impacts to greater sage-grouse. This is consistent with WO IM 12-043.

This temporary fence lies within the Louse Canyon GMA where ES&R actions lie outside the scope of the Louse Canyon Settlement agreement and therefore meet the intent of the agreement.

Eastside Temporary Fence
Construction of 4.6 miles of 3 strand temporary protective fence across the Eastside pasture of the Jackies Butte allotment will allow for continued grazing use by the grazing permit holders on 38,782 unburned acres in that pasture. If 4.6 miles of temporary fence is not constructed it will be necessary to close the entire Eastside pasture which will deny the grazing permit holder's access to approximately 2750 AUMs of permitted grazing use. The temporary fence location is practical, readily accessible, and designed to enclose the burned area with the least amount of fence possible. Building the fence in this location reduces the amount of fence necessary and reduces cost and other negative factors associated with fence construction. However, a portion of the fence is located within 1.25 miles of an active greater sage-grouse lek and therefore reflective devices will be hung from that portion of the fence that is within 1.25 miles of the lek to reduce the likelihood of being a greater sage-grouse collision risk. This is in accordance with Instruction Memorandum WO-2012-043, Greater Sage-grouse Interim Management Policies and Procedures issued December 22, 2011. The fence location was also determined in part so as not to traverse the Owyhee River WSA. The fence is designed to be constructed between two leks. It will lie at least a mile from each lek. Placing the fence further than 1.25 miles from a lek is not possible without traversing the Owyhee River WSA or constructing a minimum of nine miles of additional fence which would eliminate roughly half of the Eastside pasture from grazing or approximately 1568 AUMs of permitted grazing use. This would be in addition to lost forage within the entire 65,249 acre Dry Creek Native pasture and a portion of the Indian Fort pasture which also burned in the Long Draw fire and is discussed below. The Eastside fence, like the other temporary fence treatments discussed in this Plan are to improve land health, promote successful reclamation, provide resource protection and allow the unburned portion of the pasture to be grazed.

The fence location has been coordinated with ODFW to minimize or eliminate potential impacts to greater sage-grouse. This is consistent with WO IM 12-043.

Indian Fort Temporary Fence
Construction of 5.8 miles of 3 strand temporary protective fence across the Indian Fort pasture of the Jackies Butte allotment will allow for continued grazing use by the grazing permit holder on 47,150 unburned acres in that pasture. If 5.8 miles of temporary fence is not constructed it will be necessary to close the entire Indian Fort pasture to livestock grazing, which will deny the grazing permit holder's access to approximately 3,344 AUMs of permitted grazing use. I have determined that the temporary fence location is practical, readily accessible, and designed to enclose the burned area with the least amount of fence possible. Building the fence in this location reduces the amount of fence necessary and reduces cost and other negative factors associated with fence construction. Also, it is not within 1.25 miles of a greater sage-grouse active lek. However, it does lie within 1.25 miles of a non active lek. So, there will be additional coordination with ODFW to determine if

marking is necessary. If ODFW recommends marking, then the fence will be marked to reduce collision risk.

Battle Mountain Temporary Fence
Construction of 2.0 miles of 3 strand temporary protective fence across the Battle Mountain pasture of the Echave allotment will allow for continued grazing use by the grazing permit holder on 3,591 unburned acres in that pasture. If 2.0 miles of temporary fence is not constructed it will be necessary to close the entire Battle Mountain pasture which will deny the grazing permit holder access to 268 AUMs of permitted grazing use. The temporary fence location is practical, readily accessible, and designed to enclose the burned area with the least amount of fence possible. However, the upper most portion of the fence is located within 1.25 miles of an active greater sage-grouse lek and therefore reflective devices will be hung from that portion of the fence that is within 1.25 miles of the lek to reduce the likelihood of being a greater sage-grouse collision risk. This is in accordance with Instruction Memorandum WO-2012-043, Greater Sage-grouse Interim Management Policies and Procedures issued December 22, 2011. Building the fence in this location reduces the amount of fence necessary and reduces cost and other negative factors associated with fence construction. The fence location has been coordinated with ODFW to minimize or eliminate potential impacts to greater sage-grouse. This is consistent with WO IM 12-043.

Rattlesnake Temporary Fence
Construction of 2.2 miles of 3 strand temporary protective fence across the Rattlesnake pasture of the Echave allotment will allow for continued grazing use by the grazing permit holder on 3,088 unburned acres in that pasture. If 2.2 miles of temporary fence is not constructed it will be necessary to close the entire Rattlesnake pasture to livestock grazing which will deny the grazing permit holder access to approximately 230 AUMs of permitted grazing use. I have determined that the temporary fence location is practical, readily accessible, and designed to enclose the burned area with the least amount of fence possible. Building the fence in this location reduces the amount of fence necessary and reduces cost and other negative factors associated with fence construction. Also, the fence is not located within 1.25 miles of a greater sage-grouse lek and therefore is not likely to be a collision risk or negatively impact greater sage-grouse. The fence location will be coordinated with ODF&W to minimize or eliminate potential impacts to greater sage-grouse. This is consistent with WO IM 12-043.

Eiguren South Temporary Fence
Construction of 6.0 miles of 3 strand temporary protective fence across the Eiguren South pasture of the Eiguren allotment will allow for continued grazing use by the grazing permit holder on 9,392 unburned acres in that pasture. If 6.0 miles of temporary fence is not constructed it will be necessary to close the entire Eiguren South pasture to livestock grazing which will deny the grazing permit holder access to approximately 810 AUMs of permitted grazing use. I have determined that the temporary fence location is practical, readily accessible, and designed to enclose the burned area with the least amount of fence possible. Building the fence in this location reduces the amount of fence necessary and reduces cost and other negative factors associated with fence construction. Also, the fence is not located within 1.25 miles of a greater sage-grouse lek and therefore is not likely to be a collision risk or negatively impact greater sage-grouse. The fence location will be coordinated with ODF&W to minimize or eliminate potential impacts to greater sage-grouse. This is consistent with WO IM 12-043.

McDermitt West Temporary Fence
Construction of 2.4 miles of 3 strand temporary protective fence across the McDermitt West pasture of the 15 Mile allotment will allow for continued grazing use by the grazing permit holder on 6,558 unburned acres in that pasture. If 2.4 miles of temporary fence is not constructed it will be necessary to close the entire McDermitt West pasture to livestock grazing which will deny the grazing permit holder access to approximately 449 AUMs of permitted grazing use. I have determined that the temporary fence location is practical, readily accessible, and designed to enclose the burned area with the least amount of fence possible. Building the fence in this location reduces the amount of fence necessary and reduces cost and other negative factors associated with fence construction. Also, the fence is not located within 1.25 miles of a greater sage-grouse lek and therefore is not likely to be a collision risk or negatively impact greater sage-grouse. The fence location will be coordinated with ODF&W to minimize or eliminate potential impacts to greater sage-grouse. This is consistent with WO IM 12-043.

Temporary Fence Summary
All the temporary fences are being built to improve land health, promote successful reclamation, provide resource protection and allow the unburned portion of the pasture to be grazed. WO IM 2012-043 instructs BLM to evaluate the need for proposed fences, especially those within 1.25 miles of leks that have been active within the past 5 years and in movement corridors between leks and roost locations and to consider deferring fence construction unless the objective is to benefit greater sage-grouse habitat, improve land health, promote successful reclamation or provide resource protection. WO IM 12-043 also instructs BLM to coordinate with ODFW to minimize or eliminate potential impacts to greater sage-grouse. All the temporary fences have been discussed with ODFW and the actions necessary to eliminate or reduce hazards to greater sage-grouse will be taken including constructing the fences greater than 1.25 miles from a lek and if that is not practical then marking fences determined to be a collision risk.

None of the fences will be built within a WSA or any other special designated area. All the fences will be removed within three years unless it is determined that additional protection from livestock grazing is needed beyond that timeframe. The unburned portion of pastures that the fences will allow grazing to occur within, will be grazed lightly to moderately to promote the growth and persistence of native shrubs, grasses, and forbs to meet both livestock management and greater sage-grouse objectives. This is consistent with WO IM 12-043 which states this requirement on page 4 and 5 under the Grazing Permit/Leases Issuance/Grazing management section.

The construction of temporary fence is discussed under the proposed action and is adequately analyzed in NFESRP EA. It states that the success of natural recovery or re-vegetation often depends on exclusion of grazing. Also, gates, cattleguards, fences and other control features would be repaired and/or constructed as needed to protect treatments during the recovery period.

The SEORMP Rangeland/Grazing Use objective is to: Provide for a sustained level of livestock grazing consistent with other resource objectives and public land use allocations. Management actions listed to meet this objective include using a combination of administrative solutions and rangeland project development as necessary on a site-specific basis to provide a sustained level of livestock use while maintaining resource values (page 59).

Temporary fences will allow some grazing to occur as stated above. This will help alleviate at least some of the hardship being placed on the permit holders.

RIGHT OF APPEAL

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. Any appeal should state clearly and concisely as to why the final decision is in error. If an appeal is taken, notice of appeal must be filed in the office of the authorized officer at the following address within 30 days from receipt of the decision. All grounds of error not stated shall be considered waived and no such waived ground of error may be presented at the hearing unless ordered or permitted by the administrative law judge. Any appeal should be submitted in writing to:

Field Manager, Jordan/Malheur Resource Areas
Vale District Bureau of Land Management
100 Oregon Street
Vale, Oregon 97918

Filing an **appeal** does not by itself stay the effectiveness of the final BLM decision. The appeal may be accompanied by a petition for a stay of the decision pending final determination on appeal, in accordance with 43 CFR § 4.471 and 4.479. Any request for a stay of the final decision in accordance with 43 CFR § 4.21 must be filed with the appeal. In accordance with 43 CFR § 4.21 (b)(1), a petition for a stay must show sufficient justification based on the following:

The relative harm to the parties if the stay is granted or denied,
The likelihood of the appellant's success on the merits,
The likelihood of immediate and irreparable harm if the stay is not granted, and
Whether the public interest favors granting the stay.

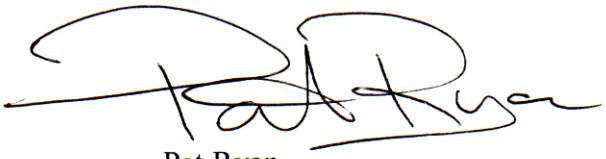
Additionally, in accordance with 43 CFR § 4.471(b), within 15 days after filing an **appeal** and petition for a stay with the authorized officer, the appellant must serve copies on:

1) All other person(s) named in the address heading of this decision; and
2) The appropriate office of the Office of the Solicitor as follows, in accordance with 43 CFR § 4.413(a) and (c):

Office of the Solicitor
US Department of the Interior
Pacific NW Region
805 SW Broadway, Suite 600
Portland, OR 97205

Finally, in accordance with 43 CFR § 4.472(b), any person named in the decision from which an **appeal** is taken (other than the appellant), who wishes to file a response to the petition for a stay, may file with the Hearings Division a motion to intervene in the **appeal**, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and respond, the person must serve copies on the appellant, the appropriate office of the Office of the Solicitor in accordance with Sec. 4.413(a) and (c), and any other person named in the decision.

Sincerely,



Pat Ryan
Field Manager
Jordan/Malheur Resource Areas

Legend

- BLM Offices
- Fire
- Vale District
- State of Oregon

N
W E
S

0 30 60 120 Miles
0 50,000 100,000 200,000 Meters

Location
Long Draw Fire (G1HG)
Revised Emergency Stabilization & Rehabilitation
Implemention Plan
Map 1

U.S. Department of Interior
Bureau of Land Management

Vale District

October, 28, 2012

Ownership
Long Draw Fire (G1HG) - Revised
Emergency Stabilization & Rehabilitation Implemention Plan
Map 2

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data or of individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

Special Management Areas
Long Draw Fire (G1HG) - Revised
Emergency Stabilization & Rehabilitation Implementation Plan
Map 3

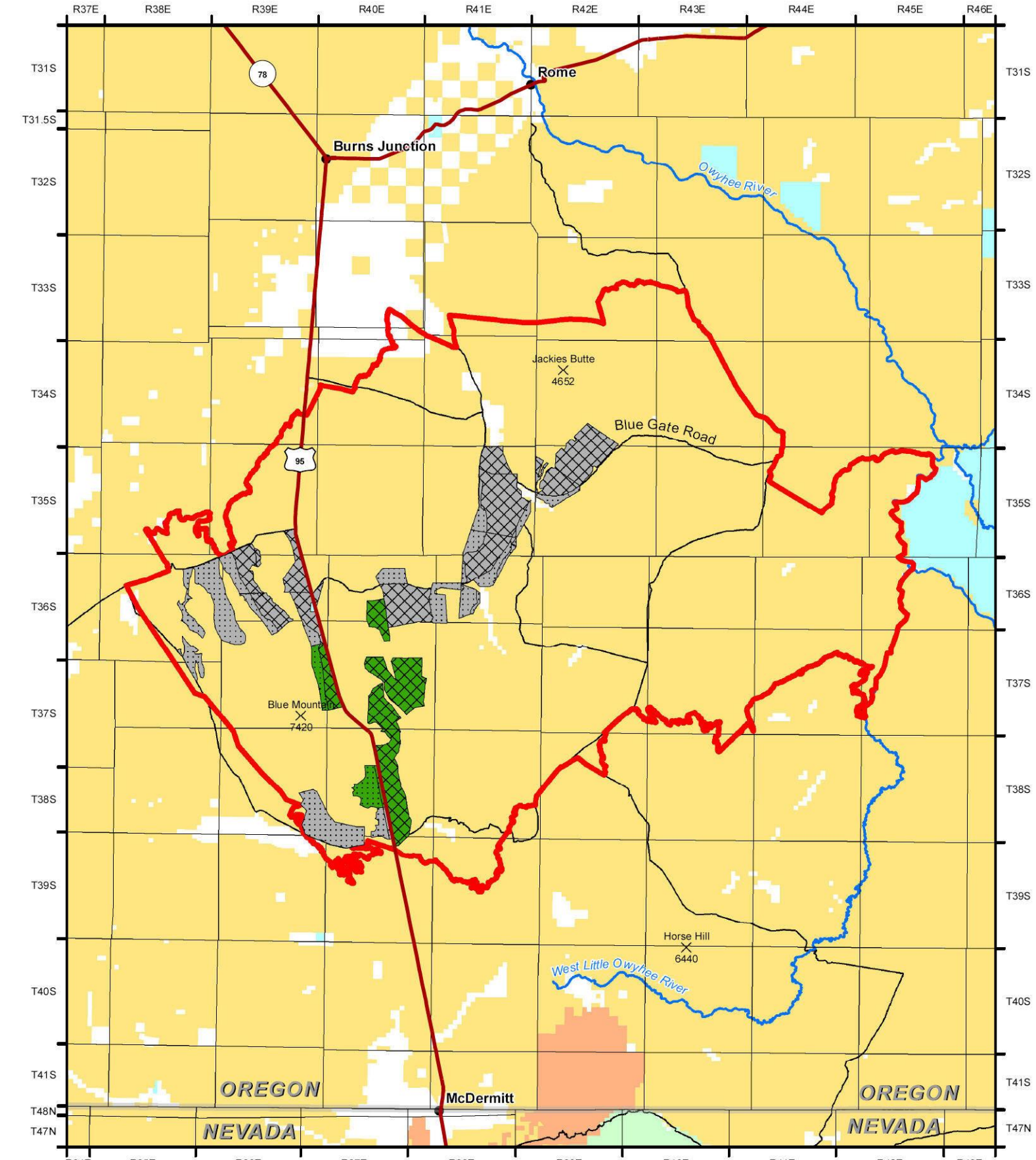
Greater Sage Grouse
Long Draw Fire (G1HG) - Revised
ES&R Implementation Plan
Map 4

Grazing Management
Long Draw Fire (G1HG) - Revised
Emergency Stabilization & Rehabilitation Implemention Plan
Map 5

U.S. Department of Interior
Bureau of Land Management

Vale District

October 28, 2012



Legend

- Fire Perimeter
- Highways
- Primary Routes

Seeding Method

- Modified Drill
- UnModified Drill

Ground Based Application Seed Mix

- Non-Native (Mix#1)
- Native (Mix#2)

0 3.75 7.5 15 Miles

0 6,250 12,500 25,000 Meters

Herbaceous Seed Mix and Treatment Method
Long Draw Fire (G1HG) - Revised
Emergency Stabilization & Rehabilitation Implementation Plan
Map 6

U.S. Department of Interior
Bureau of Land Management

Vale District

October 28, 2012

Proposed Sage Brush Seed Application and Planting
Long Draw Fire (G1HG) - Revised
Emergency Stabilization & Rehabilitation Implementation Plan
Map 7

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Protective Temporary Fences
Long Draw Fire(G1HG) - Revised
Emergency Stabilization & Rehabilitation Implementation Plan
Map 8

Repair of Existing Facilities
Long Draw Fire (G1HG) - Revised
Emergency Stabilization & Rehabilitation Implementation Plan
Map 9